



California Regional Water Quality Control Board Central Valley Region

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Linda S. Adams

Secretary for
Environmental Protection

19 March 2007

Jonathan Verbitsky
560 27th street
Richmond, CA 94804

NOTICE OF APPLICABILITY **RESOLUTION NO. R5-2003-0106, VERBITSKY WINERY, EL DORADO COUNTY**

Regional Water Board staff has reviewed your 1 February 2007 Report of Waste Discharge (RWD) for coverage under Resolution No. R5-2003-0106, *Waiver of Waste Discharge Requirements for Small Food Processors, Including Wineries, Within the Central Valley Region*. The RWD included a Notice of Non-Applicability for compliance with the Storm Water General Permit and an \$872 filing fee. Our review finds the RWD to be substantially complete.

Resolution No. R5-2003-0106 (a copy of which is enclosed) is a conditional waiver of waste discharge requirements for small food processors, including wineries. Based on the information you have provided, the discharge as described in the RWD satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the estimated amount of grapes crushed and wastewater produced.

Discharge Description

Jonathan Verbitsky (Discharger) owns the land on which the Verbitsky Winery will operate. The winery is located at 3625 Omo Ranch Road, in El Dorado County (APN 045-270-17). The winery will crush approximately 30 to 40 tons of grapes per year producing approximately 3,000 cases of wine annually. The Discharger has estimated that approximately 11,000 gallons of winery process wastewater will be produced on an annual basis. The crush pad and the equipment cleaning area will be located inside the winery building. The facility will not utilize ion exchange units and no cleaning compounds will be added to the waste stream. Winery wastewater will be collected in floor drains that will be connected to a 1,000 gallon above ground storage tank. From the holding tank, wastewater will be pumped to an application trailer for distribution in the vineyard. The wastewater will be applied evenly over 6 acres of vineyard. Application areas will be rotated with a minimum of seven days rest between applications at any one area. Application will not be made in the vineyard during periods of rain or on wet soils. Winery operations will be postponed if the storage tank becomes full when land application is not available due to precipitation events.

The Discharger estimates that approximately 18 tons (wet weight) of solids (grape stems, seeds, and skins) will be produced annually based on the expected volume (30 – 40 tons) to be crushed each year. This solid waste will be temporarily stored in watertight bins before loading into the application trailer (agricultural spreader), for transport to the vineyard. Solids will be distributed between vine rows, and grape stems will be spread along vineyard access roads.

California Environmental Protection Agency

Conditional Waiver

Based on the information submitted in the RWD, the discharge as described above satisfies the general and specific conditions of Resolution No. R5-2003-0106 for the projected volume of wastewater and process solids produced. Therefore, this letter serves as formal notice that Resolution No. R5-2003-0106 is applicable and waste discharge requirements for this facility are waived.

Enclosed is a copy of Resolution No. R5-2003-0106, and the associated Monitoring and Reporting Program. As described therein, an annual monitoring report that contains the information described in Items No. 1, 2 and 5 of the monitoring and reporting program must be submitted by **1 February** of each year.

If the discharge violates the terms or conditions of the waiver, the Regional Water Board may take enforcement action, including assessment of administrative civil liability. If the amount of grapes crushed exceeds 40 tons per year, the volume of wastewater exceeds 12,000 gallons per year, or the method of winery wastewater and solids disposal change from those described in the RWD, you must submit a new RWD. Please note that the waiver will expire on **11 July 2008**, at which time you must submit a new RWD with a filing fee to renew the waiver, or cease the discharge.

If you have any questions regarding this letter, please do not hesitate to call Brendan Kenny at (916) 464-4635.

- Original Signed by Jack E. Del Conte for -

PAMELA C. CREEDON
Executive Officer

Enc: General Order No. R5-2003-0106

cc w/o enc: Jeff Rusert, El Dorado County Environmental Health Department, Placerville